



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application of:

HUBER, GORDON et al.

Serial No.: 10/712,178

Filed: November 13, 2003

HIGH MOISTURE, SHELF STABLE  
ACIDULATED FOOD PRODUCTS

Group Art Unit 1761

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

POWER OF ATTORNEY

The owner (hereinafter "Assignee") of the entire right, title, and interest in the above-referenced application is PHRESH TECHNOLOGIES, LLC. The undersigned has the authority to sign on behalf of Assignee. A copy of an assignment of the above-referenced application from the inventors, GORDON R. HUBER, MAURICE CLARENCE KEMP, and ZHONG WEI XIE, to Assignee is attached hereto.

Assignee hereby appoints the following individuals as its attorneys for the purpose of receiving all future correspondence in connection with said patent application and transacting all business in the United States Patent and Trademark Office with respect to said patent application:

Robert D. Hovey	19,228	Tracey S. Truitt	43,205
Warren N. Williams	19,156	David V. Ayres	46,529
Stephen D. Timmons	26,513	Kameron D. Kelly	44,181
John M. Collins	26,262	Gregory J. Skoch	48,267
Thomas H. Van Hoozer	32,761	Jennifer C. Bailey	52,583
Thomas B. Luebbering	37,874	David L. Terrell, Patent Agent	50,576
Andrew G. Colombo	40,565	Jason E. Gorden	46,734
Scott R. Brown	40,535		
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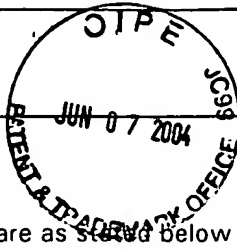
Send correspondence to Hovey Williams LLP, 2405 Grand Blvd., Suite 400, Kansas City,  
Missouri 64108; and direct telephone calls to (816) 474-9050.

PHRESH TECHNOLOGIES, LLC

By: Kyle N. Bailey  
VP of Sales & New Business Dev.  
Name/Title

May 13<sup>th</sup> 2004  
Date

(DOCKET NO. 34244)



As a below named inventor I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

HIGH MOISTURE, SHELF STABLE ACIDULATED FOOD PRODUCTS

the specification of which: (complete (a), (b) or (c) for type of application)

**REGULAR OR DESIGN APPLICATION**

(a) ☐ is attached hereto.

(b) ☒ was filed on November 13, 2003 as Application Serial No. 10/712,178 and was amended on \_\_\_\_\_ (if applicable).

**PCT FILED APPLICATION ENTERING NATIONAL PHASE**

(c) ☐ was described and claimed in International Application No. \_\_\_\_\_ filed \_\_\_\_\_ and as amended on \_\_\_\_\_ (if any).

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

☐ In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97.

**PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

(complete (d) or (e))

(d) ☒ no such applications have been filed.

(e) ☐ such applications have been filed as follows

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS PRIOR TO SAID APPLICATION**

Country	Application No.	Date of Filing	Date of Issue	Priority Claimed
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS PRIOR TO SAID APPLICATION**


I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States application(s)

listed below:

10/712,178

Nov. 13, 2003

Pending

Application Serial No.

Filing Date

Status (patented, pending, abandoned)

**CONTINUATION-IN-PART**

(Complete This Part Only If This Is A Continuation-In-Part Application)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a), which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application:

Application Serial No.

Filing Date

Status (patented, pending, abandoned)

Application Serial No.

Filing Date

Status (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

*Full name of sole or first inventor		GORDON R. HUBER	
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